

PTO/SB/R/PCT (01-03)

Approved for use through 12/31/2003. OMB 0851-0021  
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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: JOHN PETER GABAN  
 International (PCT) Application No.: AU98 00767 U.S. Application No.: 09/600320  
 Filed: 17<sup>th</sup> SEPTEMBER 1998 (if known)  
 Title: ROTARY TWO-STROKE ENGINE

Attention: PCT Legal Staff  
 Box PCT  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee—required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity - fee \$ 55 (37 CFR 1.17(m)). Applicant claims small entity status.  
 ... See 37 CFR 1.27.

☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Proper reply**

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of  
A LETTER FAXED TO MR. J. DENION (identify type of reply):

- ☒ has been filed previously on 17<sup>th</sup> APRIL 2003  
☐ is enclosed herewith.

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Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/04/PCT (01/03)

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## 3. Terminal disclaimer with disclaimer fee.

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.13/(b) was unintentional.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

24<sup>th</sup> APRIL 2003  
Date

Telephone  
Number: (02) 9687 6240

S. P. Gahan  
Signature

JOHN PETER GAHAN  
Typed or printed name

P.O. BOX 3500, PARRAMATTA  
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NSW 2124, AUSTRALIA

- Enclosures: ☒ Response  
☒ Fee Payment  
☐ Terminal Disclaimer Form  
☐ \_\_\_\_\_

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